

MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 5, 2000
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Larry Hudkins, Vice Chair
Bernie Heier
Linda Steinman
Bob Workman

Commissioners Absent: Kathy Campbell, Chair

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, August 29, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Workman moved and Heier seconded approval of the minutes of the Board of Equalization meeting dated August 29, 2000. Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 27 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Heier seconded approval. Heier, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

**BryanLGH Medical Center
Lincoln Action Program, Inc. (3 exemption applications)**

MOTION: Steinman moved and Heier seconded approval of motor vehicle tax exemptions for Lincoln Action Program, Inc. and approval of motor vehicle tax exemptions for BryanLGH Medical Center subject to the vehicle(s) being titled and registered to the applicant. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

4) **SETTING OF PUBLIC HEARINGS FOR THE FOLLOWING REGARDING NOTICE OF VALUATION CHANGE:**

Setting of public hearings for Tuesday, September 19, 2000 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding notice of valuation change for omitted or undervalued property for the following:

**Concord Hospitality
Nebraska Housing Resource Inc.
Cyrilla Crown LTD (8 notices)
Chadd Construction Inc. (5 notices)
Regal Building Systems Inc. (4 notices)
Brighton Construction Co., Inc. (4 notices)
Elmer III & Valerie Robertson
Marlene Koci
Larry & Jeri Brainard**

MOTION: Heier moved and Steinman seconded approval. Workman, Hudkins, Steinman and Heier voted aye. Motion carried.

5) **ADJOURNMENT**

MOTION: Heier moved and Steinman seconded adjournment of the Board of Equalization meeting. Hudkins, Steinman, Workman and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

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- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, August 29, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

MOTION: Heier moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated August 29, 2000. Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS: Approval of all claims processed through Tuesday, September 5, 2000.**

MOTION: Workman moved and Heier seconded approval. Heier, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

An exceptional circumstance award, in the amount of \$500, for Toni Drammeh, an employee with the County Assessor's Office.

MOTION: Steinman moved and Heier seconded approval. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. A request for an addition to licensed premises from the Nebraska State Board of Agriculture. The requested area, which is approximately 43 feet by 43 feet, is for an expansion to the Depot Beer Garden located in State Fair Park.

Hudkins opened the public hearing and asked if anyone wished to testify in favor of the request.

The Clerk administered the oath to Sharon Schrock.

Sharon Schrock, representing the Nebraska State Board of Agriculture, appeared and explained the request was to expand the area of an existing beer garden.

In response to a question asked by Hudkins, Schrock stated chain link fence and gates have been installed.

Steinman inquired about a limit in relation to the number of people in the old premises.

Schrock stated she couldn't answer the question, however, the expansion would probably allow approximately 75 to 100 additional individuals.

Hudkins asked if anyone wished to testify in opposition or in a neutral position.

No one appeared.

The public hearing was recessed until Tuesday, September 12, 2000 at 1:30 p.m.

B. County Special Permit 182, Hawk's Pointe Community Unit Plan, requested by Lyle Loth of ESP on behalf of Eric Pavey, for six single family lots, on property generally located at the southwest corner of North 1st Street and West Raymond Road in Lancaster County, Nebraska.

C. County Preliminary Plat 00015, Hawk's Pointe, requested by Lyle Loth of ESP on behalf of Eric Pavey, for six lots, with requests to waive sidewalks, street paving, street lights, landscape screen, street trees and block length, on property generally located at the southwest corner of North 1st Street and West Raymond Road in Lancaster County, Nebraska.

4) **PUBLIC HEARINGS CONTINUED:**

Hudkins opened the public hearings and asked if anyone wished to testify in favor of the special permit and/or preliminary plat.

The Clerk administered the oath to Eric Pavey.

Eric Pavey, applicant, appeared to answer any questions asked by the County Board.

Workman asked if the area encompassing the lots had ever been farmed.

Pavey stated the area is native prairie. He explained that he is trying to limit the number of outbuildings and range of development so that much of the land is maintained and preserved. Pavey said he was also going to place covenants on the amount of green lawn allowed.

In response to a question asked by Workman regarding water quality, Pavey stated the water is high in chlorides, however, it is not unpotable.

Hudkins asked if anyone wished to testify in opposition or in a neutral position.

No one appeared and the public hearings were closed.

MOTION: Steinman moved and Heier seconded approval of County Special Permit 182, Hawk's Pointe Community Unit Plan and County Preliminary Plat 00015, Hawk's Pointe. Steinman, Workman, Hudkins and Heier voted aye. Motion carried.

D. Comprehensive Plan Conformance 00004, requested by the Director of Planning, to acquire a permanent conservation easement over approximately 80.62 acres of saline wetlands, floodplain and native pasture on property generally located at the southwest corner of North 1st Street and West Raymond Road in Lancaster County, Nebraska.

Hudkins opened the public hearing.

The Clerk administered the oath to Mike DeKalb.

4) **PUBLIC HEARINGS CONTINUED:**

Mike DeKalb, Planning Department, requested that Comprehensive Plan Conformance 00004 be withdrawn. He stated the conservation easement wasn't needed because the conditions which would apply to the easement have been included in the conditions of the special permit, which the applicant has agreed to accept.

Comprehensive Plan Conformance 00004 was withdrawn at the request of the Planning Department.

E. Final tax request for Lancaster County and the Rural Library.

Dave Kroeker, Budget & Fiscal Director, stated that state statute indicates that tax dollars for the current year would remain the same as the previous year unless a public hearing is held and a resolution is adopted. He explained the County combined certain funds which would require the public hearing. Kroeker also noted that the County's cash balances had decreased because of a decline in inheritance tax dollars and significant increases in group insurance costs.

Hudkins opened the public hearing and requested that New Business Item 6H be moved forward on the agenda.

The Vice Chair asked if anyone wished to testify in favor, opposition or in a neutral position regarding the final tax request.

No one appeared and the hearing was closed.

6) **NEW BUSINESS:**

H. A resolution setting the 2000-2001 property tax request for Lancaster County at a different amount than that of the prior year. (R-00-106)

MOTION: Heier moved and Steinman seconded approval of Resolution 00-106. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

5) **OLD BUSINESS:**

An application for a Special Events Permit from Team Kaos Cycling Club to hold a bicycle race on Sunday, September 10, 2000 beginning at 8 a.m. The planned route for the race begins at the marina at Branched Oak Lake and proceeds clockwise around the lake, using West Rock Creek Road, Raymond Road and Northwest 140th Street.

Jon Peterson, applicant, appeared and noted the only change from previous years is that the race would begin at P.O. Pears on the Lake instead of Liebers Point.

MOTION: Steinman moved and Heier seconded approval. Heier, Workman, Steinman and Hudkins voted aye. Motion carried.

6) **NEW BUSINESS:**

A. An agreement with Road Builders Machinery and Supply Company, Inc. to sell to the County two Komatsu Motor Graders with mounting capabilities. The County will pay \$184,680 which includes the trade-in value of County machines 320 and 324. (C-00-427)

Dave Johnson, Deputy County Attorney, requested that the agreement be held for further review.

Board consensus to hold the agreement for further review by the County Attorney.

B. A contract with Samaritan Counseling Center for after hours emergency mental health services through the Community Mental Health Center, beginning August 1, 2000 and ending June 30, 2001. The County will be paid \$50 an hour for the use of the emergency crisis line and its resources. (C-00-428)

MOTION: Heier moved and Steinman seconded approval. Workman, Hudkins, Steinman and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- C. A lease agreement with the Lincoln Lancaster Mental Health Foundation to lease a 2000 Ford Windstorm van on behalf of the Community Mental Health Center for a one year period, beginning August 1, 2000. The County will pay the taxes and maintain the vehicle. (C-00-429)**

Dave Johnson, Deputy County Attorney, explained that most lease agreements have a clause indicating that the lessee purchase the vehicle, however, no such clause exists in the present agreement. In speaking with Judy Tannehill, Community Mental Health Center, Johnson stated he was informed that the County has leased vehicles from the Mental Health Foundation in previous years. He added that the previous vehicle was donated to the County by the Mental Health Foundation and that the County sold the vehicle and received the proceeds.

MOTION: Steinman moved and Workman seconded approval. Hudkins, Workman, Heier and Steinman voted aye. Motion carried.

- D. A DATATRAC System software license from BlueCross BlueShield of Nebraska to assist the Community Mental Health Center in billing Medicare electronically. (C-00-431)**

MOTION: Steinman moved and Heier seconded approval. Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

- E. An agreement with HWS Consulting Group Inc. for preliminary survey roadway design and plan preparation for the regrading of Northwest 84th Street from West Adams Street to U.S. Highway 34, beginning upon the date of execution and ending December 15, 2000. The County will pay \$9,500 for the completion of the preliminary survey and services and \$14,000 for the roadway design and plan preparation. (C-00-436)**

MOTION: Heier moved and Workman seconded approval. Hudkins, Steinman, Heier and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

F. Emergency Streambank or Shoreline Protection Works Project Cooperation Agreement with the Department of the Army for construction of the Section 14 Emergency Streambank Protection Project along the left bank of Elk Creek near the Village of Malcolm in Lancaster County, Nebraska. The County's share of the cost is estimated at \$28,259 with the total project cost being \$80,740. (C-00-437)

Dave Johnson, Deputy County Attorney, requested that the County Board's approval be subject to the inclusion of additional language on page 20 of the agreement regarding his certification as Deputy County Attorney. He stated he spoke with the Corp of Engineers regarding the matter and the first sentence should read, "I, David W. Johnson, do hereby certify that I am a Deputy County Attorney and authorized to act on behalf of the principal legal officer of Lancaster County".

MOTION: Steinman moved and Heier seconded approval subject to the inclusion of additional language on page 20 of the agreement regarding David Johnson's certification as Deputy County Attorney. Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

G. Grant contracts with the following agencies, beginning July 1, 2000 and ending June 30, 2001:

Nebraska Legal Services, Inc. , in the amount of \$28,200, for the Family Law program. (C-00-432)

Lincoln Interfaith Council, Inc., in the amount of \$5,000, for the Emergency Food Pantry System. (C-00-433)

League of Human Dignity, Inc., in the amount of \$58,277, for the Center for Independent Living (\$43,763) and for barrier removal (\$14,514). (C-00-434)

Lincoln Action Program, Inc., in the amount of \$107,855, for the LAP Education Outreach program (\$19,248), the Eviction Protection/Coalition of Landlords and Tenants program (\$28,007) and the Emergency Services/Family Preservation program (\$60,600). (C-00-435)

MOTION: Steinman moved and Workman seconded approval. Heier, Steinman, Hudkins and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- H. A resolution setting the 2000-2001 property tax request for Lancaster County at a different amount than that of the prior year. (R-00-106)**

This item was moved forward on the agenda.

- I. A resolution in the matter of County maintenance of the following roads located in Cardwell Woods Addition: (R-00-108)**

- **Approximately 2,290 feet of West Cardwell Road**
- **Approximately 576 feet of Whitetail Circle**
- **Approximately 487 feet of Bobcat Circle**
- **Approximately 683 feet of Cardwell Circle**
- **Approximately 576 feet of Fireplace Circle**

MOTION: Heier moved and Steinman seconded approval of Resolution 00-108. Workman, Hudkins, Steinman and Heier voted aye. Motion carried.

- J. A (program) resolution requesting the State of Nebraska, Department of Roads to act on behalf of the County in obtaining federal funds for a road project on West Denton Road, beginning at Southwest 54th Street and ending at Southwest 12th Street, in the estimated amount of \$1,390,000. (R-00-107)**

MOTION: Steinman moved and Heier seconded approval of Resolution 00-107. Hudkins, Steinman, Workman and Heier voted aye. Motion carried.

- K. A resolution adopting annual salary increases for County Directors and Assistant Directors as follows: (R-00-110)**

- **Dennis Banks, Detention Center Director, from \$60,000 to \$65,000**
- **David Kroeker, Budget & Fiscal Director, from \$72,000 to \$76,000**
- **Kerry Eagan, Chief Administrative Officer, from \$80,000 to \$85,000**
- **Mike Thurber, Corrections Director, from \$72,000 to \$75,000**
- **Kit Boesch, Human Services Director, from \$55,000 to \$58,000**
- **Larry Van Hunnik, Lancaster Manor Administrator, from \$87,000 to \$92,000**
- **Don Killeen, Property Management Director, from \$75,000 to \$80,000**
- **Gary Chalupa, Veterans Services Director, from \$40,000 to \$44,000**
- **Russ Shultz, Weed Control Director, from \$44,000 to \$46,000**

6) **NEW BUSINESS CONTINUED:**

- **Doug Ahlberg, Emergency Management Director, from \$52,000 to \$58,000**
- **Dean Settle, Community Mental Health Center Director, from \$73,000 to \$78,000**
- **Michelle Schindler, Assistant Director at the Detention Center, from \$48,000 to \$53,000**
- **Rick Ringlein, Assistant Director for Veterans Services, from \$30,000 to \$33,000**

MOTION: Steinman moved and Heier seconded approval of Resolution 00-110. Steinman, Workman, Hudkins and Heier voted aye. Motion carried.

L. A resolution implementing Lancaster County's last best offer regarding contract negotiations with the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME). (R-00-111)

MOTION: Heier moved and Steinman seconded approval of Resolution 00-111. Heier, Workman, Hudkins and Steinman voted aye. Motion carried.

M. A correction to the annual salary of psychiatrist, Dr. Sanat Roy, previously approved by Resolution 00-103, dated August 22, 2000. The annual salary should be set at \$147,680, effective the pay period beginning August 24, 2000.

MOTION: Steinman moved and Heier seconded approval. Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

N. Appointment of Diane Paul as a Bailiff II for Juvenile Court Judge Toni G. Thorson, at \$37,244 annually, effective August 28, 2000. (M-00-79)

MOTION: Workman moved and Heier seconded approval. Heier, Workman, Steinman and Hudkins voted aye. Motion carried.

O. A political subdivision tort claim filed against Lancaster County by Anne M. Harrington, in the amount of \$255.15, for damaged property.

MOTION: Heier moved and Steinman seconded approval. Steinman, Hudkins, Heier and Workman voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. A maintenance agreement with Government Technology Services, Inc. (GTSI) for two Sun microcomputer systems for the County Assessor's Office, in the amount of \$1,272, beginning July 1, 2000 and ending August 30, 2001. (C-00-430)

MOTION: Steinman moved and Heier seconded approval of the Consent Item. Workman, Hudkins, Steinman and Heier voted aye. Motion carried.

8) **ADJOURNMENT**

MOTION: Steinman moved and Workman seconded adjournment of the Board of Commissioners meeting. Hudkins, Workman, Heier and Steinman voted aye. Motion carried.

Bruce Medcalf
County Clerk